

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

A.P., a minor, by and through her guardian,)
CARLOS PENA, and CARLOS PENA,)
RANDOLPH FRESHOUR, and VINCENZO)
ALLAN, each individually and on behalf of)
similarly situated individuals,)
Plaintiffs,)
v.)
CERENCE INC., a Delaware corporation,)
Defendant.)

No. 1:23-cv-02667

Honorable Nancy L. Maldonado

**DEFENDANT CERENCE INC.'S MOTION TO DISMISS
SECOND AMENDED COMPLAINT**

Defendant Cerence Inc. ("Cerence") respectfully moves this Court, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss the Second Amended Class Action Complaint filed by Plaintiffs A.P., a minor, by and through her guardian, Carlos Pena; Carlos Pena; Randolph Freshour; and Vincenzo Allan, individually and on behalf of all others similarly situated.

Dated: August 17, 2023

Respectfully submitted,

CERENCE INC.

By: /s/ Matthew C. Wolfe

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies and states that on August 17, 2023, he caused a true and correct copy of **DEFENDANT CERENCE INC.'S MOTION TO DISMISS SECOND AMENDED COMPLAINT** to be electronically filed with the Court via the Court's CM/ECF system, which will serve notice of filing on all counsel of record.

/s/ Matthew C. Wolfe